

Deadlines, Fees, Checkists

Deadlines Appeals from the Magistrate Courts

| Document | Deadline (I.R.C.P.) |
|---|---|
| Notice of Appeal | 42 days from date of judgment, order or decree of magistrate court (I.R.C.P. 83(e) [1]) |
| Transcript | 14 days from date Notice of Appeal is filed to pay estimated fee (83(k) [2]) The transcriber has 35 days from date estimated fee is paid (83(k) [2]) |
| Objections to the Transcript | 21 days from date Notice of Lodging of Transcript is mailed by the magistrate court clerk, or else the Transcript will be considered settled (83(o) [3]) |
| Filing of Transcript and Record with District Court | The magistrate court clerk has 7 days from date the Transcript is settled (83(p) [4]) |
| Augmentation of Transcript or Record | Anytime after Transcript and Record are filed (83(q) [5]; I.A.R. 30 [6]) |
| Appellant's Brief | 35 days from date Transcript and Record are filed with district court (83(v) [7]) |
| Respondent's Brief or Cross-Appellant's Brief | 28 days from date Appellant's Brief is served (83(v) [7]) |
| Cross-Respondent's Brief | 28 days from date Cross-Appellant's Brief is served (83(v) [7]) |
| Reply Brief | 21 days from date any Respondent's Brief is served (83(v) [7]) |

Judicial Review of Agency Actions

| Document | Deadline (I.R.C.P.) |
|--|--|
| Petition for Judicial Review | 28 days from date of decision, order or award from administrative agency (I.R.C.P. 84(b)(1) [8]) |
| Transcript | The transcriber has 14 days from the date the Petition for Judicial Review is (84(g)(1)(B) [9]) |
| Record | The agency clerk has 14 days from the date the Petition for Judicial Review is filed (84(f)(5) [10]) |
| Objections to the Transcript and Record | 14 days from date Notice of Lodging of Transcript and Record is mailed by the agency, or else the Transcript and Record will be considered settled (84(j) [11]) |
| Lodging of Transcript and Record with District Court | The agency has 42 days from date the Petition for Judicial Review is served (84(k) [12]) |
| Augmentation of Transcript or Record | 21 days from date Transcript and Record are filed with district court (84(l) [13]) |
| Petitioner's Brief | 35 days from date Transcript and Record are filed with district court (84(p) [14]) |

Deadlines, Fees, Checklists

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| | |
|---|---|
| Respondent's Brief or Cross-Appellant's Brief | 28 days from date Appellant's Brief is served (84(p) [14]) |
| Cross-Respondent's Brief | 28 days from date Cross-Appellant's Brief is served (84(p) [14]) |
| Reply Brief | 21 days from date any Respondent's Brief is served (84(p) [14]) |

Appeals from the District Courts

| Document | Deadline (I.A.R.) |
|--|--|
| Notice of Appeal | 42 days from date of judgment, order or decree of district court + up to 180 days if district court retains jurisdiction (I.A.R.14 [15]) |
| Reporter's Transcript | The court reporter has 30 days from date Notice of Appeal is filed, if transcript is estimated to be under 100 pages in length (24(e) [16]) The court reporter has 63 days from date Notice of Appeal is filed, if transcript is estimated to be more than 100 pages but less than 500 pages in length |
| Clerk's Record | The district court clerk has 30 days from date Notice of Appeal is filed (27(d) [17]) |
| Request for Additional Transcript or Record | 14 days from date Notice of Appeal is filed (19(d) [18]) |
| Objections to the Transcript or to the Record | 28 days from date Transcript and Record are served by the district court clerk, or else Transcript and Record will be considered settled (29(a) [19]) |
| Filing of Transcript and Record with Supreme Court | The district court clerk has 7 days from date the Transcript and Record are settled (29(b) [19]) |
| Motion for Involuntary Dismissal for Failure to Comply With the I.A.R. | 21 days before oral argument on the merits (32(a) [20]) |
| Appellant's Brief | 35 days from date that Transcript and Record are filed with Supreme Court (34(c) [21]) |
| Respondent's Brief or Cross-Appellant's Brief | 28 days from date Appellant's Brief is served (34(c) [21]) |
| Cross-Respondent's Brief | 28 days from date Cross-Appellant's Brief is served (34(c) [21]) |
| Reply Brief | 21 days from date any Respondent's Brief is served (34(c) [21]) |
| Motion for Extension of Time to File Brief | Due date of brief (34(e) [21]) |
| Petition for Rehearing | 21 days from date Court's opinion is filed (42(a) [22]; 116 [23]) |
| Brief on the Petition for Rehearing | 14 days from date Petition is filed (42(b) [22]) |
| Petition for Review by the Supreme Court | 21 days from date Court of Appeals opinion or order is announced (118(a) [24]) |
| Brief in Support of the Petition for Review | 14 days after Petition for Review is filed (118(a) [24]) |

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Filing Fees

| Type of Appeal | Filing Fee |
|--|------------|
| Appeals in civil cases (Except habeas corpus, post-conviction relief) | \$109.00 |
| Appeals from the Public Utilities Commission | \$109.00 |
| Appeals from the Industrial Commission | \$109.00 |
| Any cross-appeals from the 3-types listed above | \$109.00 |
| Applications to intervene | \$94.00 |
| Petitions for a special writ under the original jurisdiction of the Supreme Court (Except habeas corpus, criminal cases) | \$76.00 |
| Petitions for rehearing (Except criminal cases, habeas corpus, post-conviction relief) | \$71.00 |
| Appeals in criminal cases (Fees for reporters transcript and clerks record still apply) | \$ 0.00 |
| Petitions for writ of habeas corpus | \$ 0.00 |
| Petitions for post-conviction relief | \$ 0.00 |
| Petition for review of a decision of the Court of Appeals | \$ 0.00 |
| * No appellate filing fee is required for State agencies and counties, including public defenders | |
| * (I.A.R. 23(a) [25]) | |

Number of Copies *Appeals from the District Courts*

| Document | Number of Copies |
|---|--|
| All Motions and supporting documents | Original and 6 copies |
| Brief | Original, 6 bound copies and 1 unbound, unstapled copy |
| Petition for Rehearing | Original and 9 copies |
| Brief on the Petition for Rehearing | Original and 9 copies |
| Petition for Special Writ | Original and 6 copies |
| Brief in Support of Petition for Special Writ | Original and 6 copies |

Civil & Criminal Appeals from the Magistrate Courts

| Document | Number of Copies |
|--------------------------------------|------------------|
| All Motions and supporting documents | Original |
| Brief | Original |

Judicial Review of Agency Actions

Deadlines, Fees, Checklists

Published on Supreme Court (<http://isc.idaho.gov>)

| Document | Number of Copies |
|--------------------------------------|------------------|
| All Motions and supporting documents | Original |
| Brief | Original |
| [top] | |

Checklists *Checklists for Briefs*

| Requirement | ü |
|--|---|
| Paper: unruled and untreated 8 by 11 white paper (I.A.R. 36(c) [26]) | |
| Typeface: no smaller than 12 point Times New Roman (36(c) [26]) | |
| - Prisoners may write documents in legible, hand-printed black ink (36(c) [26]) | |
| Line Spacing: double-spaced, quotations may be single-spaced and indented (36(c) [26]) | |
| Page Margin: 1 at top and bottom of page, 1 at each side (36(c) [26]) | |
| Page Numbers: number each page at the bottom (36(c) [26]) | |
| Binding: must be bound on the left with comb binding only (36(c) [26]) | |
| Front Cover: must include: | |
| - Title of the court (Supreme Court or Court of Appeals) | |
| - Title of the action | |
| - Title of the document (e.g. Appellant's or Respondent's Brief) | |
| - Name of presiding trial judge | |
| - Names and addresses of all counsel of record showing for whom they appear (36(a) [26]) | |
| Color of Cover: | |
| - Appellant's Brief: light blue | |
| - Respondent's Brief: white | |
| - Appellant's Reply Brief: tan or light brown | |
| - Respondent's Reply Brief: light yellow (RE: Respondent- Cross Appellant's Reply Brief) | |
| - See 36(b) [26] for more cover colors | |
| Cover Material: 65 cover stock or heavier, or vinyl of equal weight, not plastic or acetate 36(b) [26] | |
| Table of Cases and Authorities: cases must be alphabetically arranged (35(a)(3) [27]) | |
| Length: must be 50 pages or under, including covers, excluding addendums or exhibits | |
| - Briefs in excess of 50 pages may be filed with consent of the Supreme Court (34(b) [21]) | |
| Service: two copies of the brief must be served upon each party to the appeal (34(d) [21]) | |
| Filing: original, six bound copies and one unbound, unstapled copy shall be filed with the | |

Deadlines, Fees, Checklists

Published on Supreme Court (<http://isc.idaho.gov>)

Supreme Court ([34\(a\)](#) [21])

Signing: original must be signed when filed with
Supreme Court ([34\(a\)](#) [28])

Certification of Service: certify service and the
date and manner of service in the original brief
filed with the Supreme Court ([20](#) [29])

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Color Chart for Briefs *Checklists for Briefs*

* Only Original needed for appeals from a magistrate court *

Source URL: <http://isc.idaho.gov/appeals-court/checklists>

Links:

- [1] <http://isc.idaho.gov/./ircp83e>
- [2] <http://isc.idaho.gov/./ircp83k>
- [3] <http://isc.idaho.gov/./ircp83o>
- [4] <http://isc.idaho.gov/./ircp83p>
- [5] <http://isc.idaho.gov/./ircp83q>
- [6] <http://isc.idaho.gov/./iar30>
- [7] <http://isc.idaho.gov/./ircp83v>
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- [16] <http://isc.idaho.gov/./iar24>
- [17] <http://isc.idaho.gov/./iar27>
- [18] <http://isc.idaho.gov/./iar19>
- [19] <http://isc.idaho.gov/./iar29>
- [20] <http://isc.idaho.gov/./iar32>
- [21] <http://isc.idaho.gov/./iar34>
- [22] <http://isc.idaho.gov/./iar42>
- [23] <http://isc.idaho.gov/./iar116>
- [24] <http://isc.idaho.gov/./iar118>
- [25] <http://isc.idaho.gov/./iar23>
- [26] <http://isc.idaho.gov/./iar36>
- [27] <http://isc.idaho.gov/./iar35>
- [28] <http://www.isc.idaho.gov/iar34>
- [29] <http://isc.idaho.gov/./iar20>